IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.31871 of 2008
AJAY RAI @ LAKHANDEO RAI
Versus
THE STATE OF BIHAR

02/ 21.08.2008 Heard.

The case is under Section 498A etc. IPC and the allegation is that for not bringing dowry demanded by the petitioner or promised by the parents of the lady, she was tortured and assaulted and ultimately, pushed out of the matrimonial house.

The contention is that the lady does not want to make adjustments to a married life and as such she never desired to live with the petitioner and has filed a false case against the petitioner.

WEB COPY NOT OFFICIAL

The learned Addl. Public Prosecutor resisted the prayer and impressed upon the court to consider the rehabilitation of the lady by issuing notice to her.

It could be very difficult for this court to issue notice for the simple reason that the petitioner could not be produced before it from District Jail, Hajipur without spoiling a lot of time. The learned Sessions Judge has recorded that notices were issued, but the lady did not

appear before him.

Considering the facts as placed and the defence as also the record of the fact of non-appearance of the lady, let petitioner Ajay Rai @ Lakhandeo Rai be released from custody on furnishing a bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Vaishali at Hajipur in connection with Desari P.S. Case No. 160 of 2007.

DKS/ **(Dharnidhar Jha, J)**

WEB COPY NOT OFFICIAL